

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALLERGAN USA, INC., ALLERGAN HOLDINGS)	
UNLIMITED COMPANY and EDEN BIODESIGN,)	
LLC,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 19-1727 (RGA)
)	(Consolidated)
AUROBINDO PHARMA LTD., AUROBINDO)	
PHARMA USA, INC., MSN LABORATORIES)	
PRIVATE LIMITED, MSN PHARMACEUTICALS,)	
INC., SUN PHARMACEUTICAL INDUSTRIES)	
LIMITED and ZYDUS PHARMACEUTICALS)	
(USA) INC.,)	
)	
Defendants.)	

STIPULATION AND [PROPOSED] ORDER TO MODIFY SCHEDULING ORDER

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, that the schedule in these consolidated cases is modified as set forth in the table below:

Deadline	Current Dates	Modified Dates
Completion of fact discovery	January 14, 2022	February 18, 2022 ¹
Opening expert reports for party with the initial burden of proof	February 24, 2022	March 17, 2022
Opposing expert reports	April 7, 2022	April 28, 2022
Reply expert reports	May 5, 2022	May 26, 2022
Expert depositions complete	June 30, 2022	Unchanged
Parties to submit joint letter with competing proposals for length and format of trial	July 6, 2022 at 9:00 am	Unchanged

¹ The extension of the fact discovery deadline is made only for the purpose of completing already served discovery. Neither side shall serve additional discovery requests or notice additional fact depositions absent a showing of good cause.

Deadline	Current Dates	Modified Dates
Status conference with counsel to discuss length and format of trial (Subject to Court's availability and approval)	July __, 2022	N/A
Opening <i>Daubert</i> motions	July 14, 2022	Unchanged
Oppositions to <i>Daubert</i> motions	August 8, 2022	Unchanged
Replies to Oppositions to <i>Daubert</i> motions	August 26, 2022	Unchanged
Joint proposed pre-trial order	October 11, 2022 at 5:00 pm	Unchanged
Rule 16(e) final pretrial conference	October 21, 2022, at 8:30 am	Unchanged
Trial	November 7, 2022, at 8:30 am	Unchanged

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

KRATZ & BARRY LLP

*/s/ Jeremy A. Tigan**/s/ R. Touhey Myer*

Jack B. Blumenfeld (#1014)
 Jeremy A. Tigan (#5239)
 1201 North Market Street
 P.O. Box 1347
 Wilmington, DE 19899
 (302) 658-9200
 jblumenfeld@morrisnichols.com
 jtigan@morrisnichols.com

R. Touhey Myer (#5939)
 800 N. West Street
 Wilmington, DE 19801
 (302) 527-9378
 tmeyer@kratzandbarry.com

Attorneys for Defendants Aurobindo Pharma Ltd. and Aurobindo Pharma USA, Inc.

Attorneys for Plaintiffs Allergan USA, Inc., Allergan Holdings Unlimited Company and Eden Biodesign, LLC

STAMOULIS & WEINBLATT LLC

/s/ Richard C. Weinblatt

Stamatios Stamoulis (#3726)
Richard C. Weinblatt (#5080)
800 N. West Street, Third Floor
Wilmington, DE 19801
(302) 999-1540
stamoulis@swdelaw.com
weinblatt@swdelaw.com

*Attorneys for Defendants MSN Laboratories
Private Limited and MSN Pharmaceuticals,
Inc.*

HEYMAN ENERIO GATTUSO & HIRZEL LLP

/s/ Dominick T. Gattuso

Dominick T. Gattuso (#3630)
300 Delaware Avenue, Suite 200
Wilmington, DE 19801
(302) 472-7300
dgattuso@hegh.law

*Attorneys for Defendant Sun Pharmaceutical
Industries Limited*

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Pilar G. Kraman

Pilar G. Kraman (#5199)
Rodney Square
1000 N. King Street
Wilmington, DE 19801
(302) 571-6600
pkraman@ycst.com

*Attorneys for Defendant Zydus Pharmaceuticals
(USA) Inc.*

January 14, 2022

SO ORDERED this ____ day of January, 2022.

United States District Court Judge